

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.No. 538 /2001

PETITIONERS

1. Ku. Nisha Shrivastava,
D/o Shri Basantlal Shrivastava,
aged about 28 years
R/o 7/8 Railway Colony
Baradwar, Tehsil-Sakti
District- Janjgir Chanpa.

2. Avinash Tiwari,
S/o Shri Dinesh Tiwari,
aged about 28 years,
R/o Baradwar Tehsil-Sakti,
District- Janjgir Chanpa.

- Versus-

RESPONDENTS

1. State of Chhattisgarh
Through: Secretary,
Department of Panchayat
Mantralaya, Shastri Chowk
Raipur.

2. The Chief Executive Officer,
Nagar Panchayat,
Naya Baradwar,
District-Janjgir Chanpa.

3. The Collector,
Janjgir Chanpa.

WRIT PETITION UNDER ARTICLES 226/227 OF THE
CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE
WRIT IN THE NATURE OF CERTIORARI, MANDAMUS
PROHIBITION ETC. OR ANY OTHER ORDER/DIRECTION.



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CLERK TO J.C. BILASPUR

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आदेश पत्रक

मामला क्रमांक W.P.No - 538/01 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	11.12.2003 Shri Prashant Jaiswal, counsel for the petitioners. Shri Ranbir Singh, Govt. Advocate, for the State / Respondents No.1 and 3. Shri Ashish Shrivastava with Afroz Khan, counsel for respondent No.2. Shri H.B. Agrawal, counsel for intervener Ramsharan Yadav. Shri Ritesh Ahuja, counsel for intervener Bharti Dubey. Heard. Counsel for the respondents as well interverners submitted that the petitioners have not joined Nagar Pauchayat as a party. The petitioners have filed this petition against the order of termination Annexures-P/8 and P/9 dated 09.03.2000 in respect of petitioner No.1 namely, Ku. Nisha Shrivast. It is submitted that these orders were passed pursuant to the order passed by the Collector / respondent No.3 dated 25.10.99, Annexure-P/6. It is further submitted that the order of Collector has not been challenged in this petition. The Collector in his order dated 25.10.99 issued certain directions while deciding the points 5 and 8.	

[पीछे देखिये]

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आदेश पत्रक

मामला क्रमांक

W.P. 538101

सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	It is further submitted that the order Annexure-P/6 has not been challenged and the same is amenable to the revisional jurisdiction. So far as directions are concerned, it is submitted that the orders Annexures-P/8 and P/9 are appealable, but the appeals have not been filed. It is also submitted that Ramsharam Yadav and Tiketram Suryavanshi have not been joined as a party. So far as Ramsharam Yadav is concerned, he has joined as an intervener. But so far as Tiketram Suryavanshi is concerned, he has not been joined as party. During the course of hearing, counsel for respondents submits that alternative remedy of appeal is still available and the appeal can be preferred before the Director, Panchayats as per the notification since the powers of Commissioner have been transferred to the Director, Panchayats. Counsel for the petitioner submits that he may be permitted to withdraw to this petition with liberty to to file proper appeal / petition before the Director, Panchayats by joining necessary parties alongwith an application for grant of stay.	- 2 -

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आदेश पत्रक

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Counsel for the respondent / intervener submits that let it be done within 15 days from today. Counsel for the petitioner further prays that interim stay granted on 19.04.2001 may be allowed to continue. Counsel for respondent / State and intervener submit that till the application for stay is filed and heard by the authority, the interim order may continue. It is ordered accordingly. If the petition and application of stay is not filed within 15 days then the continuance would not be permitted. With the aforesaid observations and directions, this petitions stands disposed of. Certified copy as per rules.	Sd/- Fakhruddin Judge

26/12/2001